

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

TERRY GALE PLUNK
ADC #139430

PETITIONER

V.

NO. 5:08cv00203 SWW-JWC

RAY HOBBS, Director,
Arkansas Department of Correction

RESPONDENT

ORDER

The Court has reviewed the Proposed Findings and Recommendations received from Magistrate Judge Jerry Cavaneau and the objections filed in response, and has further reviewed the relevant record de novo. The Findings and Recommendations are adopted in their entirety as this Court's findings.

Accordingly, Respondent's motion for summary judgment (doc. 61) and Petitioner's cross-motion for summary judgment (doc. 92) are hereby **denied**, and the case shall proceed to an evidentiary hearing on the issues set forth in the recommendations.

IT IS SO ORDERED this 15th day of March, 2011.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE